

inform the House that the Senate has passed

H. C. R. No. 2, Relating to a prison survey, by the following vote: 17 yeas, 5 nays and 1 pair.

Respectfully,
RICHARD BLALOCK,
Assistant Secretary of the Senate.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, April 20, 1923.
Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the following Senators have been appointed to serve on the investigating committee provided for in Senate Concurrent Resolution No. 6: Senators Wirtz, Holbrook and Davis.

Respectfully,
RICHARD BLALOCK,
Assistant Secretary of the Senate.

ADJOURNMENT.

On motion of Mr. Culp, the House, at 4:30 o'clock p. m., adjourned until 10 o'clock a. m. next Monday.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following standing committees filed favorable reports today on bills as follows:

Appropriations: House bill No. 41.
Revenue and Taxation: House bills Nos. 15 and 10.

The following standing committee filed unfavorable reports today on bills as follows:

Revenue and Taxation: House bills Nos. 19, 17 and 37.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

Committee Room,
Austin, Texas, April 19, 1923.
Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 1, A bill to be entitled "An Act levying an occupation tax upon the right and privilege of producing oil

in this State by taking same from the earth; defining the words 'person,' 'market value' and 'oil,' levying such tax against those engaged in such production; requiring reports to be made in order to ascertain the amount of said tax due the State; prescribing penalties for failure to comply with the act requiring reports to be made, and requiring said tax to be paid within a certain time; making necessary provision for carrying into effect the act and accomplishing its purpose; amending Article 7383, Chapter 2, of Title 126 of the Revised Civil Statutes of 1911, as amended, and declaring an emergency,"

And find the same correctly engrossed.

DINKLE, Chairman.

SIXTH DAY.

(Monday, April 23, 1923.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Seagler.

The roll was called and the following members were present:

Abney.	Dodd.
Amsler.	Downs.
Arnold.	Driggers.
Atkinson.	Duffey.
Avis.	Dunlap.
Baker of Milam.	Dunn.
Baker of Orange.	Durham.
Baldwin.	Edwards.
Barker.	Fields.
Barrett.	Finlay.
Beasley.	Fugler.
Bird.	Gipson.
Blount.	Greer.
Bonham.	Hardin of Erath.
Bryant.	Hardin
Burmeister.	of Kaufman.
Cable.	Harrington.
Carpenter	Harris.
of Dallas.	Henderson
Carpenter	of Marion.
of Matagorda.	Henderson
Carson.	of McLennan.
Carter of Coke.	Hendricks.
Carter of Hays.	Howeth.
Chitwood.	Hull.
Coffee.	Irwin.
Collins.	Jacks.
Covey.	Jennings.
Cowen.	Johnson.
Crawford.	Kemble.
Culp.	Lackey.
Davis.	Laird.
DeBerry.	Lane.
Dielmann.	Lewis.
Dinkle.	Loftin.

Looney.	Rowland.
McBride.	Russell
McDaniel.	of Callahan.
McDonald.	Russell of Trinity.
McNatt.	Sackett.
Martin.	Sanford.
Mathes.	Satterwhite.
Maxwell.	Shearer.
Melson.	Shires.
Merritt.	Simpson.
Miller.	Smith.
Moore.	Sparkman.
Morgan	Stell.
of Liberty.	Stevens.
Morgan	Stewart of Jasper.
of Robertson.	Stewart of Reeves.
Pate.	Stiernberg.
Patman.	Storey.
Patterson.	Strickland.
Perdue.	Stroder.
Pinkston.	Sweet.
Pool.	Teer.
Pope.	Thompson.
Potter.	Thrasher.
Price.	Turner.
Purl.	Vaughan.
Quaid.	Wallace.
Quinn.	Westbrook.
Rice.	Wilmans.
Robinson.	Young.
Rountree.	

Absent.

LeMaster.	Stewart
McFarlane.	of Edwards.
	Wilson.

Absent—Excused.

Bell.	LeSturgeon.
Bobbitt.	Lusk.
Davenport.	McKean.
Faubion.	Merriman.
Franka.	Montgomery.
Green.	Rogers.
Houston.	Wells.
Hughes.	Wessels.
Jones.	Williamson.
Lamb.	Winfree.

A quorum was announced present.

Prayer was offered by Rev. J. C. Mitchell, Chaplain.

LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Bell for today, on motion of Mr. Harrington.

Mr. Green for today, on motion of Mr. Purl.

Mr. Fugler for last Thursday and Friday, and Mr. Hughes for today, on motion of Mr. Henderson of McLennan.

Mr. Jones for today and tomorrow, on motion of Mr. Quaid.

Mr. LeSturgeon and Mr. Davenport for today, on motion of Mr. Dielmann.

Mr. Wells and Mr. Montgomery for today, on motion of Mr. Gipson.

Mr. Bobbitt for today, on motion of Mr. Arnold.

Mr. Winfree for today and tomorrow, on motion of Mr. Potter.

Mr. McKean for today, on motion of Mr. Carter of Hays.

Mr. Wessels for today, on motion of Mr. Stell.

Mr. Lamb for today, on motion of Mr. Russell of Trinity.

Mr. Houston for today, on motion of Mr. Pope.

The following members were granted leave of absence on account of important committee work:

Mr. Bonham, Mr. Baldwin, Mr. Henderson of Marion and Mr. Laird for today, on motion of Mr. Rountree.

The following members were granted leaves of absence on account of sickness:

Mr. Rogers for today, on motion of Mr. Burmeister.

Mr. Williamson for today, on motion of Mr. Burmeister.

Mr. Stewart of Edwards, for last week and indefinitely, on motion of Mr. Jones.

Mr. Wilson for today, on motion of Mr. Patterson.

Mr. Franka for this week, on motion of Mr. Abney.

Mr. Faubion for today, on motion of Mr. Teer.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Teer:

H. B. No. 45, A bill to be entitled "An Act to amend Chapter 5, Title 8, of the Code of Criminal Procedure of the State of Texas of 1911, so as to prevent the reversal of criminal cases by the Court of Criminal Appeals upon technicalities and irregularities, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Moore:

H. B. No. 46, A bill to be entitled

"An Act amending the act passed by the Thirty-eighth Legislature at its Regular Session, approved January 31, 1923, the same being House bill No. 17, entitled 'An Act requiring the Board of Water Engineers and the State Reclamation Engineer, in conformity to the statutes determining their powers and duties, to make and cause to be made, and report to the Governor, an adequate topographic survey of the stream watersheds of the State, to the end that flood control, water conservation and economic utilization in reclamation development may be made practicable, advancing all such work as found feasible in accordance with the relative importance to the public welfare; directing the order in which said surveys and reports shall be made; providing for an appropriation to carry out the provisions of this act, and declaring an emergency,' amending said act so as to reduce the appropriation made therein to two hundred thousand dollars, and providing that the work required by said amended act be done by the Board of Water Engineers entirely, and the money appropriation to be available for said purpose through said Board of Water Engineers, and declaring an emergency."

Referred to Committee on Conservation and Reclamation.

By Mr. Moore:

H. B. No. 47, A bill to be entitled "An Act to amend Section 3 of Chapter 137, Acts of the Regular Session of the Thirty-seventh Legislature, describing additional ground to be purchased as a campus of the University of Texas; and by adding to Chapter 137 a section to be known as Section 11a, providing for the sale of all property heretofore purchased by the University Land Acquisition Board which is not included in the territory described in this act, and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Purl, Mr. Storey, Mr. Loftin and Mr. Rountree:

H. B. No. 48, A bill to be entitled "An Act prohibiting what is commonly known as dancing by any person or persons within the State of Texas in either public or private places for a longer period than eight hours continuously within each twenty-four hours without having first procured a permit from the State Board of Health showing that said

person or persons to be in such physical condition as to be able to withstand the physical strain of such prolonged exertion without same being injurious to good health of party desiring permit, which permit shall specify the number of hours such person may dance within each twenty-four hours, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

RELATING TO HOUSE BILL NO. 4.

Mr. Burmeister called up, for consideration at this time, the motion to reconsider the vote by which House bill No. 4 was passed, which motion to reconsider was on last Thursday spread on the Journal, due notice having been given that the motion to reconsider would be called up for consideration today.

Mr. Burmeister moved to table the motion to reconsider.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—84.

Abney.	Harrington.
Atkinson.	Henderson
Baker of Milam.	of McLennan.
Baker of Orange.	Hendricks.
Beasley.	Howeth.
Bird.	Irwin.
Bonham.	Jennings.
Bryant.	Kemble.
Burmeister.	Lackey.
Cable.	Lane.
Carpenter	McBride.
of Matagorda.	McDonald.
Carson.	McNatt.
Carter of Hays.	Martin.
Chitwood.	Mathes.
Coffee.	Maxwell.
Covey.	Melson.
Cowen.	Merritt.
Crawford.	Miller.
Culp.	Moore.
Davis.	Morgan
DeBerry.	of Robertson.
Dielmann.	Patman.
Dinkle.	Patterson.
Dodd.	Perdue.
Downs.	Pinkston.
Driggers.	Pool.
Dunlap.	Pope.
Durham.	Potter.
Edwards.	Price.
Fields.	Quaid.
Fugler.	Rice.
Gipson.	Robinson.
Greer.	Rountree.
Hardin of Erath.	Rowland.

Russell	Strickland.
of Callahan.	Stroder.
Russell of Trinity.	Sweet.
Sanford.	Teer.
Satterwhite.	Thompson.
Shearer.	Thrasher.
Shires.	Wallace.
Simpson.	Westbrook.
Sparkman.	Wilmans.
Stewart of Jasper.	Young.
Stewart of Reeves.	

· Nays—18.

Amsler.	Jacks.
Barrett.	Loftin.
Carpenter	Looney.
of Dallas.	McDaniel.
Collins.	Purl.
Duffey.	Stell.
Finlay.	Stiernberg.
Hardin	Storey.
of Kaufman.	Turner.
Hull.	Vaughan.

Present—Not Voting.

Mr. Speaker. Carter of Coke.

Absent.

Arnold.	Morgan
Avis.	of Liberty.
Barker.	Pate.
Blount.	Quinn.
Dunn.	Sackett.
Harris.	Smith.
Johnson.	Stevens.
LeMaster.	Stewart
Lewis.	of Edwards.
McFarlane.	Wilson.

Absent—Excused.

Baldwin.	Laird.
Bell.	Lamb.
Bobbitt.	LeStourgeon.
Davenport.	Lusk.
Faubion.	McKean.
Frnka.	Merriman.
Green.	Montgomery.
Henderson	Rogers.
of Marion.	Wells.
Houston.	Wessels.
Hughes.	Williamson.
Jones.	Winfree.

RESOLUTIONS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled resolutions:

S. C. R. No. 4, Granting Hon. J. O. Woodward leave of absence from the State.

S. C. R. No. 5, Accepting invitation of Chamber of Commerce to visit West Texas.

H. C. R. No. 2, Relating to survey of the prison system.

EMPLOYES OF THE HOUSE.

The Speaker announced the appointment of the following:

Stenographer—Harvey Harrell.

Special Porter—G. A. Piper, to take the place of Ben Perry, resigned.

HOUSE BILL NO. 10 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 10, A bill to be entitled "An Act to tax property passing by will or by descent or by grant or gift taking effect on the death of the grantor or donor; providing for the collection of such tax, and repealing Articles 7487, 7488, 7489, 7490, 7491, 7492, 7493, 7494, 7495, 7496, 7497, 7498, 7499, 7500, 7501 and 7502, Revised Civil Statutes of Texas, 1911; also repealing Chapter 21 of the Acts of the First Called Session of the Thirtieth Legislature, Chapter 166 of the Acts of the Regular Session of the Thirty-fifth Legislature, and Chapter 164 of the Acts of the Regular Session of the Thirty-sixth Legislature, and repealing all laws in conflict herewith, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 20 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 20, A bill to be entitled "An Act providing that any hotel or boarding house or other place to which the people resort for board or lodging and which place repeatedly permits employes or guests to make, sell or give away intoxicating liquor or permits parties to drink intoxicating liquors to excess, or permits gambling or prostitution, shall be declared a nuisance to be abated by the courts; and providing that when such acts are repeatedly committed by guests or employes, that fact shall be prima facie evidence that the proprietors, managers or those in charge have knowledge of same, and unless contro-

verted shall be grounds for issuing an order of injunction; and providing that it shall not be necessary to prove that such conditions obtain at the time of the sitting of the court, but only that the material allegations are true, and declaring an emergency."

The bill was read second time.

Mr. Abney offered the following (committee) amendment to the bill:

Amend House bill No. 20, page 2, Section 4, by striking out the words "At Austin, Texas," in line 26, and by striking out the words "Travis County," in line 31, and substituting therefor the words "the county where the nuisance is alleged to exist."

The amendment was adopted.

House bill No. 20 was then passed to engrossment.

Mr. Loftin moved to reconsider the vote by which the bill was passed to engrossment, and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 20 ON THIRD READING.

Mr. Abney moved that the constitutional rule requiring bills to be read on three several days be suspended, and that House bill No. 20 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—93.

Mr. Speaker.	Dodd.
Abney.	Driggers.
Amsler.	Duffey.
Arnold.	Dunn.
Atkinson.	Durham.
Avis.	Fields.
Baker of Milam.	Finlay.
Baker of Orange.	Gipson.
Barker.	Greer.
Bird.	Hardin
Bonham.	of Kaufman.
Bryant.	Harrington.
Burmeister.	Harris.
Cable.	Hendricks.
Carpenter	Howeth.
of Dallas.	Jennings.
Carpenter	Kemble.
of Matagorda.	Lackey.
Carter of Hays.	Lane.
Chitwood.	LeMaster.
Coffee.	Lewis.
Covey.	Loftin.
Cowen.	McBride.
Crawford.	McDaniel.
Culp.	McNatt.
Davis.	Martin.
Dinkle.	Mathes.

Maxwell.	Satterwhite.
Melson.	Shearer.
Merritt.	Simpson.
Morgan	Smith.
of Liberty.	Sparkman.
Pate.	Stell.
Patman.	Stevens.
Patterson.	Stewart of Jasper.
Perdue.	Stewart of Reeves.
Pinkston.	Stiernberg.
Pope.	Storey.
Potter.	Strickland.
Purl.	Stroder.
Quaid.	Sweet.
Quinn.	Teer.
Rice.	Thompson.
Rountree.	Thrasher.
Rowland.	Turner.
Russell	Wallace.
of Callahan.	Westbrook.
Russell of Trinity.	Wilmans.
Sanford.	Young.

Nays—9.

Carson.	Henderson
Carter of Coke.	of McLennan.
DeBerry.	Hull.
Dielmann.	Jacks.
Hardin of Erath.	Vaughan.

Absent.

Baldwin.	Looney.
Barrett.	McDonald.
Beasley.	McFarlane.
Blount.	Miller.
Collins.	Moore.
Downs.	Morgan
Dunlap.	of Robertson.
Edwards.	Pool.
Fugler.	Price.
Henderson	Robinson.
of Marion.	Sackett.
Irwin.	Shires.
Johnson.	Stewart
Jones.	of Edwards.
Laird.	Wilson.

Absent—Excused.

Bell.	Lusk.
Bobbitt.	McKean.
Davenport.	Merriman.
Faubion.	Montgomery.
Frnka.	Rogers.
Green.	Wells.
Houston.	Wessels.
Hughes.	Williamson.
Lamb.	Winfree.
LeSturgeon.	

The Speaker then laid House bill No. 20 before the House on its third reading and final passage.

The bill was read third time.

Mr. Purl offered the following amendment:

Amend House bill No. 20: Add after the words "boarding house," in line 21 of Section 1, page 1, the words "country club and garage and rent car stands."

Signed—Purl, Storey.

The amendment was adopted.

Mr. Pate offered the following amendment to the bill:

Amend caption to House bill No. 20 by inserting words "country club, garages and rent car stands."

The amendment was adopted.

House bill No. 20 was then passed by the following vote:

Yeas—96.

Abney.	LeMaster.
Amsler.	Lewis.
Arnold.	Loftin.
Atkinson.	Looney.
Avis.	McBride.
Baker of Milam.	McDaniel.
Baker of Orange.	McDonald.
Barker.	McNatt.
Barrett.	Martin.
Bonham.	Mathes.
Bryant.	Maxwell.
Burmeister.	Merritt.
Cable.	Miller.
Carpenter	Moore.
of Dallas.	Morgan
Carpenter	of Liberty.
of Matagorda.	Morgan
Carter of Coke.	of Robertson.
Carter of Hays.	Pate.
Chitwood.	Patman.
Coffee.	Patterson.
Covey.	Perdue.
Cowen.	Pinkston.
Crawford.	Pope.
Davis.	Purl.
DeBerry.	Quaid.
Dinkle.	Quinn.
Dodd.	Rountree.
Downs.	Rowland.
Driggers.	Russell
Duffey.	of Callahan.
Dunlap.	Russell of Trinity.
Dunn.	Sackett.
Durham.	Sanford.
Edwards.	Satterwhite.
Fields.	Shearer.
Fugler.	Simpson.
Gipson.	Sparkman.
Greer.	Stell.
Hardin of Erath.	Stewart of Jasper.
Harris.	Stewart of Reeves.
Hendricks.	Stiernberg.
Howeth.	Storey.
Jacks.	Strickland.
Jennings.	Stroder.
Jones.	Sweet.
Kemble.	Teer.
Lane.	Thompson.

Thrasher.
Turner.
Westbrook.

Wilmans.
Young.

Nays—9.

Carson.
Dielmann.
Hardin
of Kaufman.
Harrington.

Henderson
of McLennan.
Hull.
Johnson.
Smith.
Vaughan.

Absent.

Beasley.
Bird.
Blount.
Collins.
Culp.
Finlay.
Green.
Irwin.
Lackey.
McFarlane.

Melson.
Pool.
Potter.
Price.
Rice.
Robinson.
Shires.
Stevens.
Wallace.
Wilson.

Absent—Excused.

Baldwin.
Bell.
Bobbitt.
Davenport.
Faubion.
Frnka.
Henderson
of Marion.
Houston.
Hughes.
Laird.
Lamb.

LeSturgeon.
Lusk.
McKean.
Merriman.
Montgomery.
Rogers.
Stewart
of Edwards.
Wells.
Wessels.
Williamson.
Winfree.

Mr. Abney moved to reconsider the vote by which the bill was passed, and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 10 ON THIRD READING.

Mr. Smith moved that the constitutional rule requiring bills to be read on three several days be suspended, and that House bill No. 10 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—94.

Mr. Speaker.
Amsler.
Arnold.
Baker of Milam.
Baker of Orange.
Barker.
Barrett.
Bonham.
Bryant.
Burmeister.

Cable.
Carpenter
of Dallas.
Carpenter
of Matagorda.
Carson.
Carter of Coke.
Carter of Hays.
Chitwood.
Coffee.

Covey.	Merritt.
Cowen.	Miller.
Crawford.	Moore.
Culp.	Morgan
Davis.	of Liberty.
DeBerry.	Morgan
Dodd.	of Robertson.
Downs.	Pate.
Driggers.	Patman.
Duffey.	Perdue.
Dunn.	Pinkston.
Durham.	Pool.
Edwards.	Pope.
Fields.	Quinn.
Finlay.	Rice.
Fugler.	Rountree.
Gipson.	Rowland.
Greer.	Russell
Hardin of Erath.	of Callahan.
Harrington.	Sackett.
Hendricks.	Sanford.
Howeth.	Satterwhite.
Jacks.	Shearer.
Jennings.	Simpson.
Johnson.	Smith.
Kemble.	Sparkman.
Lackey.	Stell.
Lane.	Stewart of Jasper.
LeMaster.	Stewart of Reeves.
Lewis.	Storey.
Loftin.	Strickland.
Looney.	Stroder.
McBride.	Sweet.
McDaniel.	Teer.
McDonald.	Thompson.
McNatt.	Turner.
Martin.	Vaughan.
Mathes.	Westbrook.
Maxwell.	Wilmons.

Nays—9.

Avis.	Jones.
Dielmann.	Purl.
Hardin	Quaid.
of Kaufman.	Russell of Trinity.
Harris.	Thrasher.
Henderson	
of McLennan.	

Absent.

Abney.	Melson.
Atkinson.	Patterson.
Beasley.	Potter.
Bird.	Price.
Blount.	Robinson.
Collins.	Shires.
Dinkle.	Stevens.
Dunlap.	Stiernberg.
Hull.	Wallace.
Irwin.	Wilson.
McFarlane.	Young.

Absent—Excused.

Baldwin.	Bobbitt.
Bell.	Davenport.

Faubion.	McKean.
Frnka.	Merriman.
Green.	Montgomery.
Henderson	Rogers.
of Marion.	Stewart
Houston.	of Edwards.
Hughes.	Wells.
Laird.	Wessels.
Lamb.	Williamson.
LeSturgeon.	Winfree.
Lusk.	

The Speaker then laid House bill No. 10 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—91.

Abney.	Lewis.
Amsler.	Looney.
Arnold.	McBride.
Baker of Milam.	McDaniel.
Baker of Orange.	McNatt.
Barker.	Martin.
Barrett.	Mathes.
Bonham.	Maxwell.
Bryant.	Merritt.
Cable.	Miller.
Carpenter	Moore.
of Matagorda.	Morgan
Carson.	of Robertson.
Carter of Hays.	Pate.
Chitwood.	Patman.
Coffee.	Patterson.
Covey.	Perdue.
Cowen.	Pinkston.
Crawford.	Pool.
Culp.	Quinn.
Davis.	Rice.
DeBerry.	Robinson.
Dinkle.	Rountree.
Dodd.	Rowland.
Downs.	Russell
Driggers.	of Callahan.
Duffey.	Sackett.
Dunn.	Sanford.
Durham.	Satterwhite.
Edwards.	Shearer.
Fields.	Simpson.
Finlay.	Smith.
Fugler.	Sparkman.
Gipson.	Stell.
Greer.	Stewart of Jasper.
Hardin of Erath.	Stewart of Reeves.
Harrington.	Storey.
Hendricks.	Strickland.
Howeth.	Sweet.
Jacks.	Teer.
Jennings.	Thompson.
Johnson.	Turner.
Kemble.	Wallace.
Lackey.	Westbrook.
Lane.	Wilmons.
LeMaster.	

Nays—12.

Atkinson.	Jones.
Avis.	Loftin.
Dielmann.	Purl.
Hardin	Quaid.
of Kaufman.	Russell of Trinity.
Harris.	Stroder.
Henderson	Thrasher.
of McLennan.	

Absent.

Beasley.	Melson.
Bird.	Morgan
Blount.	of Liberty.
Burmeister.	Pope.
Carpenter	Potter.
of Dallas.	Price.
Carter of Coke.	Shires.
Collins.	Stevens.
Dunlap.	Stiernberg.
Hull.	Vaughan.
Irwin.	Wells.
McDonald.	Wilson.
McFarlane.	Young.

Absent—Excused.

Baldwin.	Lamb.
Bell.	LeSturgeon.
Bobbitt.	Lusk.
Davenport.	McKean.
Faubion.	Merriman.
Frnka.	Montgomery.
Green.	Rogers.
Henderson	Stewart
of Marion.	of Edwards.
Houston.	Wessels.
Hughes.	Williamson.
Laird.	Winfree.

Mr. Smith moved to reconsider the vote by which the bill was passed, and to table the motion to reconsider.

The motion to table prevailed.

RELATING TO MILEAGE AND PER DIEM OF MEMBERS.

On motion of Mr. Jones, the Chief Clerk of the House was instructed to issue warrants for mileage and per diem for Mr. Stewart of Edwards and send them to him.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, April 23, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. C. R. No. 7, Relating to a "Bird and Wild Flower Day."

Respectfully,
RICHARD BLALOCK,
Assistant Secretary of the Senate.

RECESS.

On motion of Mr. Jones, the House, at 11:25 o'clock a. m., took recess to 2 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 2 o'clock p. m. and was called to order by the Speaker.

HOUSE BILL NO. 14 ON ENGROSSMENT.

The Speaker laid before the House, as postponed business, on its passage to engrossment,

H. B. No. 14, A bill to be entitled "An Act providing for the collection of delinquent occupation, franchise, inheritance and insolvent taxes and other money due the State, and providing a means for collecting such taxes; repealing all laws in conflict with this act, and declaring an emergency."

The bill having been read second time on last Friday, with (committee) amendment by Mr. Smith pending.

Mr. Pope offered the following substitute for the (committee) amendment: Amend House bill No. 14 by striking out all of Sections 2, 3, 4 and 5, and all of Section 1 after the word "State" in line 18, page 1.

Mr. Culp raised a point of order on consideration of the substitute on the ground that it is not germane to the purpose of the (committee) amendment.

On motion of Mr. Satterwhite, further consideration of the bill was postponed until 2 o'clock p. m. next Wednesday.

HOUSE BILL NO. 6 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 6, A bill to be entitled "An Act making an emergency appropriation for the Adjutant General of this State, made necessary by emergencies arising in declaring martial law in this State, and declaring an emergency."

The bill was read third time and was passed.

DESIGNATING BIRD AND WILD FLOWER DAY.

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 7, Designating Bird and Wild Flower Day.

Whereas, The wild birds and the wild flowers native to Texas are fast disappearing before the march of population, the advancing destruction of its forests and the extension of its cultivated lands, covering its broad prairies; and

Whereas, Many nature-loving citizens have come together in the organization of clubs and societies to promote an increasing interest in the protection and conservation of our native wild birds and flowers, in extending hospitality to the migratory birds and the organization of Junior Audubon Societies among the young people; and

Whereas, The Legislature of Texas desires to encourage the laudable purposes inspiring these societies and to add its approval thereto; therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That the Governor of the State be respectfully requested to designate by proclamation some suitable day, preferably the first day of May, as "Bird and Wild Flower Day" and to suggest to the people of the State that it be so recognized and appropriately observed, not that it be made a legal holiday, but that the thoughts of our people, the older, and especially the younger, may be impressed with the great importance of preserving our native wild birds and flowers.

The resolution was read second time and was adopted.

REPORT OF COMMITTEE ON DECORATIONS.

The Speaker laid before the House, and had read, the following report:

Austin, Texas, April 23, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Dear Mr. Seagler: We, your committee selected to assist Sergeant-at-Arms White to arrange decorations for the portrait of the Texas patriot, General Sam Houston, respectfully report:

We invited suggestions from Mrs. Percy V. Pennybacker as to the character of decorations and Mrs. Pennybacker was subsequently chosen by your

committee to head a committee of Austin ladies to select decorations and supervise the work of decorating the portrait. Accordingly, Mrs. Pennybacker and Misses Leffler Corbitt and Josephine Theis assumed responsibility, being authorized by your committee to expend a maximum of twenty-five (\$25) dollars on decorations.

How well these estimable ladies executed their work is seen by the beautiful floral decorations now at the base of the portrait of Texas' great emancipator, General Sam Houston, which decorations rest as a silent tribute to the memory of General Houston and others who gave us the Texas of today.

In recognition of the services of Mrs. Pennybacker and Misses Corbitt and Theis, your committee recommends:

That the members of the House of Representatives cast a rising vote of thanks to the patriotic, true-hearted Texas ladies for their time and service, and that we stand in silence for a few moments in memory of General Houston and other Texans who sacrificed so much for us.

Respectfully,
MOORE, Chairman;
SATTERWHITE,
MAXWELL,
FIELDS.

Question recurring on the report, it was adopted by a rising vote.

ADJOURNMENT.

On motion of Mr. Satterwhite, the House, at 2:35 o'clock p. m., adjourned until 10 o'clock a. m. tomorrow.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following committee has filed favorable reports on bills as follows:

Liquor Traffic—House bills Nos. 35, 33.

REPORTS OF COMMITTEE ON ENGROSSED BILLS.

Committee Room,
Austin, Texas, April 23, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 6, A bill to be entitled "An Act making an emergency appropriation for the Adjutant General of this State, made necessary by emergencies arising in declaring martial law in this State, and declaring an emergency,"

And find the same correctly engrossed.
SANFORD, Acting Chairman.

Committee Room,
Austin, Texas, April 23, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 4, A bill to be entitled "An Act to amend Chapter 2 of Title 98, Revised Civil Statutes of Texas, 1911, by adding thereto Article 6057a, providing that, in addition to other methods provided in said chapter for the removal of officers, they may be removed by quo warranto proceedings brought by the Attorney General upon direction of the Governor; making the provisions of said chapter applicable to proceedings hereunder except where in conflict; providing that the district judge may temporarily suspend an officer against whom the petition is filed and appoint a person to discharge the duties of the office who shall not be required to give bond as provided in Article 6049 of such statutes; providing that the suspended officer shall receive the salary, compensation or fees until final judgment removing him, and that such salary, fees or compensation collected by the temporary officer shall be paid to the suspended officer, and that during appeal from a judgment removing an officer, such salaries, fees and compensation shall not be received by him unless he give a supersedeas bond therefor, and that an appeal shall not suspend the order temporarily removing such officer; providing that the temporary officer shall receive the same salary of compensation provided by law to be paid by the State out of an appropriation to the Governor for the enforcement of the law; fixing jurisdiction and venue of such suits; providing that such officer may not be removed under this act for failure to enforce misdemeanor statutes, excepting laws pertaining to gambling or prostitution, and declaring an emergency."

And find the same correctly engrossed.
SANFORD, Acting Chairman.

REPORTS OF COMMITTEE ON ENROLLED BILLS.

Committee Room,
Austin, Texas, April 23, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 1, Inviting Hon. H. J. Lutch Stark to address the Legislature.

Have carefully compared same, and find it correctly enrolled, and have this day, at 10:45 o'clock a. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

Committee Room,
Austin, Texas, April 23, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 2, Providing for survey of prison system.

Have carefully compared same, and find it correctly enrolled, and have this day, at 10:45 o'clock a. m., presented to the Governor for his approval.

HENDRICKS, Chairman.

SEVENTH DAY.

(Tuesday, April 24, 1923.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Seagler.

The roll was called and the following members were present:

Abney.	Chitwood.
Amisler.	Coffee.
Arnold.	Collins.
Atkinson.	Covey.
Avis.	Cowen.
Baker of Milam.	Crawford.
Baker of Orange.	Culp.
Barker.	Davis.
Barrett.	DeBerry.
Beasley.	Dinkle.
Bell.	Dodd.
Blount.	Downs.
Bonham.	Driggers.
Bryant.	Duffey.
Burmeister.	Dunlap.
Cable.	Dunn.
Carpenter	Durham.
of Matagorda.	Edwards.
Carson.	Fields.
Carter of Hays.	Finlay.